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U.S. DISTRICT COURT  
DISTRICT OF MASS.

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ALIANZA AMERICAS, and YANET ) Case No.: 22-cv-11550

DOE, PABLO DOE, and JESUS DOE on )

behalf of themselves and all others )

similarly situated, )

Plaintiffs, )

vs. )

RONALD DESANTIS, Governor of )

Florida in his official and personal )

Capacities; JARED W. PERDUE, )

Secretary of the Florida Department of )

Transportation in his official and personal )

Capacities; STATE OF FLORIDA; THE )

FLORIDA DEPARTMENT OF )

TRANSPORTATION; DOES #1-5, )

Defendants.)

EMANUEL MCCRAY, on behalf of )

himself and all others similarly situated, )

Intervenors.)

**MOTION TO INTERVENE**

**Rule 24, Fed. R. Civ. P.;**

**Tenth Amendment;**

**Declaration of Independence; and**

**Treaty of Paris, Gr. Brit.-U.S.,**

**September 3, 1783, 8 Stat. 80**

**PROPOSED CLASS ACTION**

1 Emanuel McCray (“McCray”), Intervenor, respectfully moves to intervene in  
 2 this action on behalf of himself and all other citizens of the United States similarly  
 3 situated, as a class, pursuant to Rule 24 of the Federal Rules of Civil Procedure  
 4 (Fed. R. Civ. P.), the Declaration of Independence, our sovereign power reserved to  
 5 the People in the Tenth Amendment, and our power as a group acting as a class  
 6 pursuant to *Bond v. United States*, 572 U.S. 844, 853 (2014),<sup>1</sup> and *Califano v.*  
 7 *Yamasaki*, 442 U.S. 682, 700, (1979).<sup>2</sup>

10 This Motion is supported by the attached Memorandum of Law and is based  
 11 on the following grounds for intervention:  
 12

13 1) **Founding Documents**: The Declaration of Independence of 1776, the  
 14 U.S. Constitution and the Enabling Act for each State of the United States do not  
 15 grant Congress, the Federal and State Governments and this Honorable Court power  
 16 or authority to grant the relief requested by the Plaintiff illegal immigrants and  
 17 Plaintiff Alianza Americas. In the alternative, any such Federal or State rules,  
 18 statutes, science of law (jurisprudence) or regulation is contrary to the original  
 19 intent of our Nation’s founding documents and unconstitutional.  
 20  
 21

22 2) **Self-Preservation and Self-Governance**: The supreme and  
 23 inalienable interests of the People of the United States to self-preservation and self-  
 24

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25 <sup>1</sup> Holding that: “‘An individual may ‘assert injury from governmental action taken in excess of the authority  
 26 that federalism defines.’”

27 <sup>2</sup> Holding that “class relief is appropriate in civil actions brought in federal court, including those seeking to  
 28 overturn determinations of the departments of the Executive Branch of the Government in cases where judicial review  
 of such determinations is authorized.... Indeed, a wide variety of federal jurisdictional provisions speak in terms of  
 individual plaintiffs, but class relief has never been thought to be unavailable under them.”

1 governance overrides the relief requested by the Plaintiff illegal immigrants and  
 2 their proposed class, who are, by federal law, criminals and thus, a clear and present  
 3 danger to the public health, safety and property of the People of the United States.  
 4

5       3)     **Basic Human Rights:** Basic human rights (BHRs) are guaranteed to  
 6 the People of the United States. Since the Declaration of Independence of 1776,  
 7 these BHRs have been under vicious assault by individuals loyal to globalists,  
 8 internationalists and other believers in a “one-world” order. The instant case is a  
 9 perfect example. On September 18, 2022, the Commonwealth of Massachusetts  
 10 (“Massachusetts”) announced that on September 16, 2022 Massachusetts directed  
 11 the Plaintiff illegal immigrants, and the other illegal immigrants be removed to  
 12 military confinement in a “dormitory-style space” aboard Joint Base Cape Cod  
 13 (JBCC).<sup>3</sup> Massachusetts described the removal order as being “a voluntary  
 14 transition from Martha’s Vineyard”, which has a “predominately Black area” in  
 15 “Oak Bluffs”, and is a utopia-type island frequented by Hollywood celebrities;  
 16 former President Obama; the Honorable William T. Newman, Jr., Chief Judge of  
 17 the Arlington County, Virginia Circuit Court who is married to Shelia Johnson,  
 18 cofounder of Black Entertainment Television; Henry Louis Gates, Jr.; Beyoncé and  
 19 Jay-Z; Quincy Jones; Malinda and D-Nice; Eddie Murphy; Sylvia Rhone, President  
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26       <sup>3</sup> Press Release. *Press Release Baker-Polito Administration Provides Update Regarding Emergency*  
 27 *Response Plan for Migrants Sheltering at Joint Base Cape Cod.* Available from [https://www.mass.gov/news/baker-](https://www.mass.gov/news/baker-polito-administration-provides-update-regarding-emergency-response-plan-for-migrants-sheltering-at-joint-base-cape-cod)  
 28 [polito-administration-provides-update-regarding-emergency-response-plan-for-migrants-sheltering-at-joint-base-](https://www.mass.gov/news/baker-polito-administration-provides-update-regarding-emergency-response-plan-for-migrants-sheltering-at-joint-base-cape-cod)  
[cape-cod](https://www.mass.gov/news/baker-polito-administration-provides-update-regarding-emergency-response-plan-for-migrants-sheltering-at-joint-base-cape-cod). [Last visited on September 25, 2022 at 09:00am.]

1 of Universal Motown; Valerie Jarrett, former White House adviser to President  
 2 Obama; Jill Nelson, author of the book “Blacks in Martha’s Vineyard”; Harvard  
 3 University law professor Charles Ogletree, who is also a contributor to The  
 4 Martha’s Vineyard Times newspaper; award-winning journalist Charlayne Hunter-  
 5 Gault, who is also a contributor to ESSENCE magazine; Oprah Winfrey, and Spike  
 6 Lee.<sup>4</sup> Thus, the federal constitutional rights being claimed by the illegal immigrants  
 7 were denied when Massachusetts forced them into military confinement aboard  
 8 JBCC rather than allowing these illegal immigrants to live in the “Oak Bluffs”  
 9 section of Martha’s Vineyard with other people of color.

13 In a statement made before the United Nations on September 23, 2022, the  
 14 Right Honorable Jacinda Kate Laurell Ardern (“Ardern”), Prime Minister of New  
 15 Zealand and Leader of the New Zealand Labour Party, revealed the fact that “New  
 16 Zealand, the USA, Twitter, and Microsoft” were engaged in an international  
 17 conspiracy to unlawfully spy on and censor humans under the guise of “privacy  
 18 protective technology”. Ardern further encouraged the U.N. to expand its war with  
 19 Russia, a founding Member of the U.N., over Ukraine, as part of a scheme to  
 20 illegally expand the immigration/refugee crisis in Ukraine.<sup>5</sup>

24  
 25 <sup>4</sup> *Celebrities in Marthas Vineyard: ESSENCE.com roundups Black celebrities who vacation in Martha’s Vineyard*. Updated October 29, 2020. Available from <https://www.essence.com/news/celebrities-marthas-vineyard/#310417>. [Last visited September 25, 2022].

26 <sup>5</sup> New Zealand - Prime Minister Addresses General Debate, 77th Session. September 22, 2022. Available  
 27 from <https://media.un.org/en/asset/k1o/k1os886csb>. [Last visited on October 1, 2022]; United Nations General  
 28 Assembly National Statement. September 24, 2022. Available from <https://www.beehive.govt.nz/speech/united-nations-general-assembly-national-statement>. [Last visited on October 1, 2022]; *Christchurch Call Initiative on*

1           4) **Tenth Amendment Collective Intervention:**       The Supreme Court  
 2 in *United States v. Sprague*, 282 U.S. 716, 733 (1931) found the Tenth Amendment  
 3 was intended to confirm the understanding of the people at the time the Constitution  
 4 was adopted, that powers not granted to the United States were reserved to the  
 5 States or to the people. “It added nothing to the instrument as originally ratified....”  
 6 In this sense, the Amendment is declaratory that all is retained which has not been  
 7 surrendered. *New York v. United States*, 505 U.S. 144, 156 (1992) (quoting *United*  
 8 *States v. Darby*, 312 U.S. 100, 124 (1941)). Justice Joseph Story characterized the  
 9 Amendment as a mere affirmation of a necessary rule of interpreting the  
 10 Constitution:  
 11

12           “Being an instrument of limited and enumerated powers, it follows  
 13 irresistibly, that what is not conferred, is withheld, and belongs to the  
 14 state authorities, if invested by their constitutions of government  
 15 respectively in them; and if not so in vested, it is retained BY THE  
 16 PEOPLE, as a part of their residuary sovereignty;”<sup>6</sup> and  
 17

18           5) **Plaintiffs’ Fraudulent Allegations:** Key allegations in the complaint  
 19 exposes the fraudulent behavior of the Plaintiffs. No where is it alleged in the  
 20 complaint that entry was through a lawfully authorized port of entry. Each Doe  
 21 Plaintiff alleged having “crossed the border into the United States near Piedras  
 22 Negras, Mexico”, a town that shares a border with Eagle Pass, TX 78852 and the  
 23

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24 *Algorithmic Outcomes*. September 21, 2022. Available from [https://www.beehive.govt.nz/release/christchurch-call-](https://www.beehive.govt.nz/release/christchurch-call-initiative-algorithmic-outcomes)  
 25 [initiative-algorithmic-outcomes](https://www.beehive.govt.nz/release/christchurch-call-initiative-algorithmic-outcomes). [Last visited on October 1, 2022]; *At UN, New Zealand PM backs war against*  
 26 *Russia, promotes internet censorship*. September 29, 2022. Available from  
 27 <https://www.wsws.org/en/articles/2022/09/30/eezu-s30.html>. [Last visited on October 1, 2022].

28           <sup>6</sup> Joseph Story, *Commentaries on the Constitution of the United States* § 1900 (1833).

1 Eagle Pass Port of Entry (POE), United States POE Code 2303,<sup>7</sup> which was  
 2 established in or about 1896. The United States currently recognizes Interim  
 3 President Juan Guaido and the Venezuelan National Assembly elected in 2015 as  
 4 the only legitimate federal institution in accordance with the Venezuelan  
 5 Constitution. Since August 28, 2019, the U.S. Department of State has provided  
 6 legal immigration assistance to the citizens of Venezuela through the Venezuela  
 7 Affairs Unit (VAU), which serves as the U.S. Mission to Venezuela and is located  
 8 in the U.S. Embassy in Bogota, Colombia.<sup>8</sup>

11  
 12 6) **Request for False Names:** The Plaintiff illegal immigrants have  
 13 requested, and have been granted, the use of false names, contrary to the public's  
 14 constitutional "right to know who is using their courts". *Does v. Mills*, 39 F.4th 20,  
 15 25 (1st Cir. 2022). Moreover, the Plaintiff illegal immigrants state no facts or  
 16 circumstances creating a "reasonable fear of severe harm" under the "Megless  
 17 inquiry" to outweigh the "public's interest in open litigation." *Id.* at 26.

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 19  
 20 7) **International "Infiltration" Conspiracy:** The Plaintiff illegal  
 21 immigrants provide no explanation as to why they bypassed the U.S. Mission to  
 22 Venezuela in Bogota, Colombia and traveled from Venezuela to Piedras Negras,  
 23 Mexico where they illegally entered the United States. In or about October 2017,  
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 26 <sup>7</sup> *Locate a Port of Entry in Texas*. U.S. Customs and Border Protection. Available from  
<https://www.cbp.gov/contact/ports/TX>. [Last visited on September 25, 2022].

27 <sup>8</sup> *U.S. Relations With Venezuela: Bilateral Relations Fact Sheet*. Bureau of Western Hemisphere Affairs.  
 28 March 10, 2022. Available from <https://www.state.gov/u-s-relations-with-venezuela/>;  
<https://www.state.gov/countries-areas/venezuela/>. [Last visited on September 25, 2022].

1 President Trump established a “back channel” communications link for the public  
2 known as “Q”.<sup>9</sup> At least of 54 “Q” posts summarize the association of illegal  
3 immigration and “[i]nfiltration [rogue] at the highest levels of our gov, media,  
4 corps, etc.”: (Immigration—85, 100, 121, 874, 988, 1570, 1603, 1652, 2037, 2392,  
5 2646, 2683, 2689, 2754, 2854, 3016, 3049, 3071, 3748, 3750, 3778 and 4545);  
6 (Infiltration—57, 58, 779, 1510, 1751, 1796, 1813, 1960, 2651, 2682, 2984, 3124,  
7 3588, 3634, 3903, 3911, 3931, 3997, 4235, 4284, 4373, 4416, 4424, 4543, 4583,  
8 4612, 4620, 4627, 4645, 4649, 4699 and 4750).

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11  
12 “Q” Post #85, in its “ANSWERS” section, indicates the ultra-violent criminal  
13 gang known as “MS13”, is funded by the drug enterprise known as “Sinaloa  
14 Cartel”; has ties to the Intelligence Service of Pakistan; and that Rafael Aguilar and  
15 Carmelo Marmolejo-Calixto, who were found murdered in Myrtle Beach, SC, were  
16 responsible for the murder of Seth Rich. Pakistan is also a member of the  
17 Commonwealth of Nations headed by Charles III, King of the United Kingdom.  
18

19  
20 “Q” Post #100, in its “ANSWERS” section, discusses the change of Queen  
21 Elizabeth II’s family name and the Queen receiving “advice” on state matters from  
22 Sadiq Aman Khan, a former Member of the UK Parliament with alleged ties to  
23 Hamas, Al-Qaeda, Al Nusra, ISIS and the Muslim Brotherhood; the probable  
24 murder of Princess Diana; the probable assassination of Gareth Wyn Williams, a  
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<sup>9</sup> Available from <https://qanon.pub/>. [Last visited on September 29, 2022].

1 British MI5 agent found dead in August 2010; and the use of migrants by the  
2 leaders of the European Union as “assets” to be used for nefarious acts, such as the  
3 destruction of a country from within: “The migrants are to EU what MS-13 is to  
4 U.S.”

5  
6 Intervention is warranted as of right or permission because Intervenor was  
7 born in the United States and the proposed class members were either born or  
8 naturalized in the United States and as a taxpayer, must pay the costs associated  
9 with illegal immigration that is intentionally allowed by the Federal Government  
10 and the States.  
11

12  
13 In a 1994 report to Congress regarding the illegal alien problem in California,  
14 the U.S. Government Accountability Office (GAO) found that by selecting the most  
15 reasonable of their assumptions, the Office was able to adjust California’s cost  
16 estimates for three programs at \$2.35 billion,<sup>10</sup> which was “by no means precise”  
17 “because of severe data limitations” and the difficulties of estimating “tax revenue  
18 from illegal aliens” without the benefit of having “information on the size of the  
19 illegal alien population” and the “population’s income distribution, consumption  
20 patterns, and tax compliance rates.”  
21  
22

23  
24 The GAO also found that Congress attempted to reduce the size of the illegal  
25 alien population through the Immigration Reform and Control Act of 1986 (IRCA)  
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27 <sup>10</sup> *ILLEGAL ALIENS: Assessing Estimates of Financial Burden on California*. United States General Accounting  
28 Office. GAO/HEHS-95-22. November 1994. Available from <https://www.gao.gov/assets/hehs-95-22.pdf>. [Last  
visited on October 1, 2022].

1 by granting legal status to certain aliens already in the country and by prohibiting  
2 employers from hiring any alien not authorized to work.  
3

4 The GAO found that in 1992, “governments at all levels began experiencing  
5 fiscal crises that heightened public concerns about the costs of providing benefits  
6 and services to illegal aliens.”  
7

8 In a Report published in 2010, the Federation for American Immigration  
9 Reform (FAIR), found the “combined federal/state net outlay for services and  
10 benefits provided to illegal aliens amounts to nearly \$100 billion annually.”<sup>11</sup>  
11

12 In an August 31, 2016 speech in Arizona, President Trump said: “Illegal  
13 immigration costs our country more than \$113 billion a year. And this is what we  
14 get.”<sup>12</sup>  
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25 <sup>11</sup> *The Fiscal Burden of Illegal Immigration on United States Taxpayers*. Federation for American  
26 Immigration Reform. July 2010, revised February 2011. Available from  
[https://www.fairus.org/sites/default/files/2017-08/USCostStudy\\_2010.pdf](https://www.fairus.org/sites/default/files/2017-08/USCostStudy_2010.pdf). [Last visited on October 1, 2022].

27 <sup>12</sup> *Donald Trump says illegal immigration costs \$113 billion a year*. Poynter Institute (Politifact). Available  
28 from <https://www.politifact.com/factchecks/2016/sep/01/donald-trump/donald-trump-says-illegal-immigration-costs-113-bi/>. [Last visited on October 1, 2022].

**MEMORANDUM OF LAW IN SUPPORT OF MOTION TO INTERVENE****I. Legal Standard.**

The proposed Intervenor seeks intervention (i) as of right or (ii) permissively to challenge the constitutional jurisdiction of this Honorable Court to grant relief to individuals who criminally violated the sovereignty of the United States and the individual sovereignty of the People of the United States.

“To succeed on a motion to intervene as of right, a putative intervenor must establish (i) the timeliness of its motion to intervene; (ii) the existence of an interest relating to the property or transaction that forms the basis of the pending action; (iii) a realistic threat that the disposition of the action will impede its ability to protect that interest; and (iv) the lack of adequate representation of its position by any existing party.” *R G Mortg v. Fed Home Loan Mortg*, 584 F.3d 1, 7 (1st Cir. 2009).

The movant must fulfill each of these preconditions. “The failure to satisfy any one of them dooms intervention.” *Id.* 584 F.3d at 7, citing *Pub. Serv. Co. of N.H. v. Patch*, 136 F.3d 197, 204 (1st Cir. 1998).

“The district court’s denial of a motion for intervention as of right lays the foundation for an immediate appeal.” *Id.*, *Patch*, 136 F.3d at 204.

**II. Timeliness.** This Motion to Intervene is timely. The complaint was filed on September 20, 2022. As of the date of this Motion, October 1, 2022, the Defendants have not filed any papers with the Court in response to the Complaint or in response

1 to the Summons. The Plaintiffs and the Defendants have not responded to requests  
2 to the Intervenor's notice to intervene.

3  
4 Plaintiffs Yanet Doe, Pablo Doe and Jesus Doe admit in their allegations that  
5 the United States maintained a "border" that was not open to illegal immigration  
6 and that each knowingly and intentionally "crossed the border into the United States  
7 near Piedras Negras, Mexico" in violation of U.S. laws punishing conspiracies  
8 against the United States, illegal entry into the U.S., and immigration fraud  
9 involving willfully false or misleading representations or the willful concealment of  
10 a material facts.  
11

12  
13 "Timeliness is to be determined from all the circumstances." *Public Citizen v.*  
14 *Liggett Group, Inc.*, 858 F.2d 775, 784 (1st Cir. 1988). See also *Culbreath v.*  
15 *Dukakis*, 630 F.2d 15, 20 (1st Cir. 1980) and *NAACP v. New York*, 413 U.S. 345,  
16 366, (1973) (Timeliness determinations under Rule 24 are vested in the sound  
17 discretion of the district court.).  
18

19  
20 **III. Significantly Protectable Interests.**

21 Proposed Intervenor's seek to protect significant "protectable interests"  
22 secured by the 1776 Declaration of Independence; the Treaty of Paris, Gr. Brit.-  
23 U.S., September 3, 1783, 8 Stat. 80; the U.S Constitution and the Tenth  
24 Amendment; and the Enabling Act agreed to by each State.  
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Data provided by the Department of Homeland Security reveals that between 2011 and 2020, the United States apprehended approximately 6,269,292 illegal immigrants from nearly every sovereign nation on this Earth:

Table 34.  
NONCITIZENS APPREHENDED BY REGION AND COUNTRY OF NATIONALITY: FISCAL YEARS 2011 TO 2020

Region and country of nationality	2011	2012	2013	2014	2015	2016 <sup>1</sup>	2017	2018	2019	2020 <sup>2</sup>
<b>REGION</b>										
Total	678,606	671,327	662,483	679,996	462,388	530,250	461,540	572,566	1,013,539	518,597
Africa	5,209	4,755	3,772	3,308	2,296	2,041	2,947	4,053	4,874	3,485
Asia	15,875	12,424	10,771	11,131	9,825	12,269	12,484	19,503	18,668	7,923
Europe	5,520	5,548	4,447	3,915	2,379	3,819	2,935	3,296	2,996	2,075
North America	637,354	634,711	629,884	648,576	439,102	501,754	432,410	533,442	945,283	477,939
Oceania	498	458	428	369	241	245	286	327	266	189
South America	13,357	12,507	12,459	12,174	8,284	9,875	9,628	9,294	40,126	25,715
Unknown	793	924	722	523	261	247	850	2,651	1,326	1,271
<b>COUNTRY</b>										
Total	678,606	671,327	662,483	679,996	462,388	530,250	461,540	572,566	1,013,539	518,597
Afghanistan	111	98	70	66	71	84	85	69	48	26
Albania	258	277	423	408	91	152	109	90	89	77
Algeria	36	42	27	42	26	38	53	44	36	24
Angola	28	22	16	13	11	6	19	29	246	325
Antigua and Barbuda	47	56	40	31	21	16	29	20	13	10
Argentina	421	324	235	212	123	82	154	143	145	93
Armenia	232	217	141	161	88	87	94	93	69	53
Australia	75	55	69	50	30	21	23	37	32	22
Austria	23	12	14	5	9	4	8	0	5	5
Azerbaijan	37	29	36	38	23	22	33	52	20	20
Bahamas	311	275	288	196	185	151	142	157	177	141
Bangladesh	272	262	366	476	467	796	771	1,395	1,368	717
Barbados	77	80	45	47	28	20	20	30	34	4
Belarus	58	51	42	20	15	18	21	32	25	12
Belgium	35	17	25	13	11	15	10	13	7	8
Belize	361	316	293	258	140	150	159	180	289	107
Benin	18	11	9	10	19	8	18	19	24	21
Bhutan	6	5	5	7	22	14	25	22	32	13
Bolivia	387	290	226	194	116	107	118	150	134	80
Bosnia and Herzegovina	201	198	179	131	115	103	115	83	83	67
Brazil	3,228	2,433	1,702	1,643	1,911	3,738	3,699	2,810	19,168	7,917
Bulgaria	95	110	52	49	36	28	28	41	25	23
Burkina Faso	20	29	19	17	6	15	23	36	35	31
Burma	35	54	48	48	47	56	61	74	68	61
Burundi	17	27	21	22	9	20	12	19	20	18
Cabo Verde	105	110	66	35	32	34	68	73	51	46
Cambodia	347	268	204	147	130	203	125	339	184	107
Cameroon	164	130	102	70	47	54	66	93	307	167
Canada	1,131	1,172	822	775	648	509	495	485	565	491
Central African Republic	10	9	14	8	0	6	6	7	11	6
Chad	8	7	12	13	8	5	11	15	5	3
Chile	248	193	128	116	82	87	128	189	392	826
China, People's Republic	2,604	2,435	1,992	2,631	1,894	3,219	2,378	2,339	3,006	1,964
Colombia	2,755	2,201	1,987	1,522	1,351	1,209	1,335	1,406	1,604	1,199
Congo, Democratic Republic	26	28	28	31	17	39	39	49	685	360
Congo, Republic	63	75	39	26	13	29	25	41	229	87
Costa Rica	503	518	409	378	213	214	230	250	242	152
Cote d'Ivoire	102	112	80	45	34	17	38	103	80	46
Croatia	31	31	29	13	16	5	11	18	15	5
Cuba	4,801	4,121	2,809	2,872	2,281	3,061	2,432	2,321	14,136	11,227
Czechia	71	68	56	35	23	26	36	71	55	27
Czechoslovakia (former)	21	20	15	12	7	6	6	6	0	0
Dominica	65	41	41	24	15	18	20	26	25	16
Dominican Republic	4,433	4,506	3,893	3,455	2,797	2,770	2,582	2,628	2,924	2,220
Ecuador	3,298	4,374	5,680	6,276	3,438	3,472	2,568	2,708	14,503	13,028
Egypt	237	190	192	181	147	117	156	158	94	99
El Salvador	27,652	38,976	51,226	79,321	51,200	78,983	59,687	42,132	99,750	23,051
Eritrea	63	37	40	52	45	33	47	91	93	91
Estonia	35	30	18	16	12	12	18	11	10	8
Ethiopia	219	220	144	152	93	70	79	83	61	61
Fiji	87	79	67	35	22	22	16	29	19	6

France	145	131	107	107	42	52	76	72	87	79
Gabon	13	13	10	15	0	3	11	13	12	6
Gambia	148	119	100	69	33	41	87	130	120	59
Georgia	101	58	65	52	29	50	54	56	70	37
Germany	198	186	153	103	79	87	91	83	84	38
Ghana	435	340	272	212	138	174	178	275	293	357
Greece	48	34	29	35	13	28	22	29	35	11
Grenada	61	35	44	33	24	13	17	17	16	14
Guatemala	41,708	57,486	73,208	97,151	66,982	84,649	81,909	135,354	285,067	61,382
Guinea	147	142	112	69	34	49	83	147	106	80
Guyana	411	360	292	248	196	142	159	194	126	100
Haiti	1,351	1,492	1,992	1,810	1,124	1,113	1,211	818	2,830	5,820
Honduras	31,189	50,771	64,157	106,928	42,433	61,222	60,169	91,141	268,992	51,011
Hungary	106	111	88	76	54	42	122	103	63	42
India	3,859	1,566	1,791	2,106	2,967	4,123	3,682	9,953	8,925	1,717
Indonesia	327	219	126	102	52	39	117	124	100	110
Iran	305	301	257	223	154	111	147	153	109	91
Iraq	285	244	169	173	152	156	421	173	171	117
Ireland	88	89	70	47	29	37	42	80	35	23
Israel	254	192	213	303	235	92	156	196	172	112
Italy	149	153	138	116	86	81	103	109	120	86
Jamaica	2,862	2,655	2,147	1,677	1,176	1,012	1,072	1,216	1,054	820
Japan	63	59	47	43	18	11	29	24	13	8
Jordan	305	281	198	282	293	167	256	291	312	253
Kazakhstan	117	108	71	75	45	25	37	75	75	56
Kenya	539	494	341	423	415	189	166	229	225	147
Korea, South	714	627	470	349	255	188	182	225	205	143
Kosovo	36	26	30	17	20	38	58	59	51	45
Kuwait	23	22	26	22	34	18	37	31	28	16
Kyrgyzstan	44	40	89	52	40	18	18	29	15	12
Laos	758	754	561	335	184	194	203	180	166	141
Latvia	38	35	36	41	39	10	21	18	17	17
Lebanon	171	128	103	117	94	58	57	94	46	57
Liberia	309	314	231	176	143	152	239	204	182	132
Libya	24	23	16	36	22	16	18	24	9	10
Lithuania	77	84	65	48	27	24	37	51	43	24
Malawi	21	14	10	13	7	6	10	8	-	4
Malaysia	53	49	31	30	14	9	17	23	24	12
Mali	112	100	83	89	40	32	47	73	50	26
Marshall Islands	21	28	35	66	34	26	31	51	40	41
Mauritania	70	55	57	25	14	12	21	85	64	68
Mexico	517,472	468,766	424,978	350,177	267,885	265,747	220,138	252,267	254,595	318,516
Micronesia, Federated States	106	106	113	95	80	88	125	115	90	66
Moldova	144	93	93	57	63	37	59	49	37	27
Mongolia	129	95	66	52	27	27	43	35	22	18
Montenegro	11	18	6	11	9	7	13	17	14	11
Morocco	173	149	135	135	96	61	97	98	60	57
Nepal	180	248	448	555	443	580	680	775	372	174
Netherlands	85	68	65	51	47	22	35	42	37	18
New Zealand	63	35	30	34	23	12	19	19	19	19
Nicaragua	2,278	2,532	2,712	2,912	1,577	1,756	1,721	4,014	14,248	2,739
Niger	48	50	39	34	24	11	13	22	26	21
Nigeria	633	543	492	396	274	253	439	878	987	551
North Macedonia	51	43	30	22	19	22	24	29	26	6
Pakistan	538	470	334	350	287	522	476	438	392	267
Palau	20	26	21	23	10	20	16	6	16	9
Panama	226	197	184	100	92	95	78	88	88	66
Paraguay	35	33	30	16	8	14	11	21	9	18
Peru	1,741	1,588	1,682	1,568	827	799	837	1,034	1,198	774
Philippines	1,135	927	721	592	334	263	280	280	231	204
Poland	519	494	328	266	205	136	147	204	161	126
Portugal	194	215	131	91	57	58	83	92	86	48
Romania	869	1,220	865	1,038	537	2,167	810	876	940	652
Russia	526	414	320	262	159	128	172	229	172	151
Rwanda	19	13	21	12	14	14	15	19	30	20
Saint Kitts and Nevis	46	49	32	20	21	7	19	17	10	0
Saint Lucia	58	57	45	44	30	21	36	35	27	24
Saint Vincent and the Grenadines	50	41	43	31	15	17	15	25	14	8
Samoa	36	32	37	20	11	25	24	39	22	10
Saudi Arabia	127	198	264	226	276	189	299	197	137	94
Senegal	158	164	132	98	41	62	61	96	76	45
Serbia	22	13	35	40	20	19	28	27	31	16
Serbia and Montenegro (former)	142	86	64	58	29	21	85	16	12	10
Sierra Leone	171	162	145	96	65	44	74	109	111	74
Singapore	12	7	16	9	0	7	0	5	0	4
Slovakia	29	44	23	28	15	8	21	36	26	16
Somalia	336	316	214	169	131	164	350	282	143	113
South Africa	123	95	79	63	43	34	46	60	54	43
South Sudan	0	3	42	21	14	19	33	81	41	33
Soviet Union (former)	92	115	89	64	19	23	35	24	18	9
Spain	126	139	98	129	84	62	122	195	202	132
Sri Lanka	316	223	134	95	128	57	87	223	492	254
Surin	226	253	168	132	81	86	93	140	92	85

Suriname	19	20	15	8	8	6	10	22	5	5
Sweden	42	33	27	24	14	17	9	19	8	8
Switzerland	19	14	11	12	3	6	3	8	7	0
Syria	114	57	72	61	57	44	62	47	25	25
Taiwan	75	46	55	35	38	34	32	38	41	19
Tajikistan	82	51	33	35	36	16	16	22	16	5
Tanzania	64	73	72	129	42	26	34	38	32	26
Thailand	257	276	246	197	84	64	93	153	82	54
Togo	43	46	20	23	10	8	21	23	34	32
Tonga	82	86	49	44	26	27	30	26	26	14
Trinidad and Tobago	596	498	419	303	195	190	214	190	158	100
Tunisia	43	33	24	46	31	19	31	32	33	25
Turkey	224	265	216	243	194	163	211	295	199	186
Turkmenistan	8	10	4	9	11	5	0	0	4	0
Uganda	66	44	49	28	14	14	18	29	40	33
Ukraine	393	394	290	183	154	111	151	201	183	86
United Arab Emirates	0	10	11	9	8	3	9	9	5	3
United Kingdom	581	516	437	295	231	209	205	274	198	158
Uruguay	239	144	116	91	44	29	72	73	78	36
Uzbekistan	135	129	116	109	73	45	91	101	177	93
Venezuela	575	547	366	280	180	190	537	544	2,764	1,639
Vietnam	1,413	1,313	875	634	433	449	644	755	1,148	618
Yemen	86	69	68	67	71	35	460	100	78	51
Zambia	49	50	31	27	19	17	43	29	18	23
Zimbabwe	88	63	48	36	22	24	28	43	31	14
All other countries <sup>3</sup>	98	97	63	61	49	48	59	56	65	47
Unknown	793	924	722	523	261	247	850	2,651	1,326	1,271

D Data withheld to limit disclosure.  
 - Represents zero.  
<sup>1</sup> The counting methodology for administrative arrests by ICE Enforcement and Removal Operations (ERO) was revised to align with ICE ERO reporting for 2016; for earlier years only one administrative arrest could be counted for the same person on the same day.  
<sup>2</sup> U.S. Border Patrol (USBP) data for 2020 include USBP encounters resulting in expulsions on public health grounds under U.S. Code Title 42 in response to the COVID-19 pandemic.  
<sup>3</sup> Includes countries with fewer than 10 noncitizens apprehended or encountered per year.  
 Note: USBP data are current as of October 2020. ICE ERO data are current as of October 2020. ICE Homeland Security Investigations (HSI) data are current as of October 2020.  
 Source: U.S. Department of Homeland Security.

The immigration data released by DHS in Table 34 above is extremely inaccurate and or misleading given the fact that the notation of a “D” represents “[d]ata withheld to limit disclosure.” DHS has also withheld disclosing illegal immigration data in its entirety for 17 of the 56 nations who are members of the Commonwealth of Nations:<sup>13</sup> Botswana, Brunei Darussalam, Cyprus, Kingdom of Eswatini, Kiribati, Lesotho, Maldives, Malta, Mauritius, Mozambique, Namibia, Nauru, Papua New Guinea, Seychelles, Solomon Islands, Tuvalu and Vanuatu.

The DAO and many States also admit illegal immigration affects every citizen of the United States. Thus, intervention is necessary where important judicial

<sup>13</sup> The Commonwealth of Nations is a voluntary association of 56 independent and equal countries in Africa, Asia, the Americas, Europe and the Pacific, comprising 2.5 billion people or one-third of the world’s population. The head of the Commonwealth is Charles III, King of the United Kingdom. *The Commonwealth*. Available from <https://thecommonwealth.org/>. [Last visited on October 1, 2022].; *Commonwealth of Nations*. Available from [https://en.wikipedia.org/wiki/Commonwealth\\_of\\_Nations](https://en.wikipedia.org/wiki/Commonwealth_of_Nations). [Last visited on October 1, 2022].

1 and public concerns, not present in the circumstances of ordinary civil litigation, are  
2 implicated, and where litigation by illegal immigrants naturally erodes the  
3 “principle of party presentation so basic to our system of adjudication”, *Arizona v.*  
4 *California*, 530 U.S. 392, 413 (2000), *United States v. Sineneng-Smith*, 140 S. Ct.  
5 1575,1579 (2020), *Greenlaw v. United States*, 554 U.S. 237, 243-244 (2008); and  
6 where the proposed Intervenor cannot be adequately represented by the parties and  
7 their legal Counsel. *Trbovich v. Mine Workers*, 404 U.S. 528, 538 (1972).

10 The observance of “comity” and the recognition of a Nation’s sovereignty  
11 includes recognizing the liability of the Sovereign to the American victims of the  
12 crimes the Sovereign has caused to be committed or abetted by individuals illegally  
13 entering the United States. As such, a constitutional question is presented as to  
14 whether federal courts must respect “the independence, the equality, and dignity of  
15 the sovereign” as set forth in *The Schooner Exch. v. McFaddon*, 11 U.S. (7 Cranch)  
16 116, 123 (1812), where, as here, the illegal immigration is aimed at destabilization  
17 of the United States through infiltration. See also *Banco Nacional de Cuba v.*  
18 *Sabbatino*, 376 U.S. 398, 409 (1964) (Comity is “neither a matter of absolute  
19 obligation, on the one hand, nor of mere courtesy and good will, upon the other”).

24 Any judgment of this Court, particularly one in favor of the Plaintiff illegal  
25 immigrants, will have serious import for American foreign relations, the People of  
26 the United States, and the national security of both, as evidenced from the powers  
27

1 reserved to the proposed Intervenor under the Tenth Amendment and Articles I, V  
2 and VII of the Treaty of Paris, Gr. Brit.-U.S., September 3, 1783, 8 Stat. 80:  
3

4 “Article 1:

5 His Britannic Majesty acknowledges the said United States, viz., New  
6 Hampshire, Massachusetts Bay, Rhode Island and Providence  
7 Plantations, Connecticut, New York, New Jersey, Pennsylvania,  
8 Maryland, Virginia, North Carolina, South Carolina and Georgia, to be  
9 free sovereign and independent states, that he treats with them as such,  
10 and for himself, his heirs, and successors, relinquishes all claims to the  
11 government, propriety, and territorial rights of the same and every part  
12 thereof.

13 Article 5:

14 It is agreed that Congress shall earnestly recommend it to the  
15 legislatures of the respective states to provide for the restitution of all  
16 estates, rights, and properties, which have been confiscated belonging  
17 to real British subjects; and also of the estates, rights, and properties of  
18 persons resident in districts in the possession on his Majesty's arms and  
19 who have not borne arms against the said United States. And that  
20 persons of any other description shall have free liberty to go to any part  
21 or parts of any of the thirteen United States and therein to remain  
22 twelve months unmolested in their endeavors to obtain the restitution  
23 of such of their estates, rights, and properties as may have been  
24 confiscated; and that Congress shall also earnestly recommend to the  
25 several states a reconsideration and revision of all acts or laws  
26 regarding the premises, so as to render the said laws or acts perfectly  
27 consistent not only with justice and equity but with that spirit of  
28 conciliation which on the return of the blessings of peace should  
universally prevail. And that Congress shall also earnestly recommend  
to the several states that the estates, rights, and properties, of such last  
mentioned persons shall be restored to them, they refunding to any  
persons who may be now in possession the bona fide price (where any  
has been given) which such persons may have paid on purchasing any  
of the said lands, rights, or properties since the confiscation.  
And it is agreed that all persons who have any interest in confiscated  
lands, either by debts, marriage settlements, or otherwise, shall meet  
with no lawful impediment in the prosecution of their just rights.

1 Article 7:

2 There shall be a firm and perpetual peace between his Brittanic  
3 Majesty and the said states, and between the subjects of the one and the  
4 citizens of the other, wherefore all hostilities both by sea and land shall  
5 from henceforth cease. All prisoners on both sides shall be set at  
6 liberty, and his Brittanic Majesty shall with all convenient speed, and  
7 without causing any destruction, or carrying away any Negroes or other  
8 property of the American inhabitants, withdraw all his armies,  
9 garrisons, and fleets from the said United States, and from every post,  
10 place, and harbor within the same; leaving in all fortifications, the  
11 American artillery that may be therein; and shall also order and cause  
12 all archives, records, deeds, and papers belonging to any of the said  
13 states, or their citizens, which in the course of the war may have fallen  
14 into the hands of his officers, to be forthwith restored and delivered to  
15 the proper states and persons to whom they belong.”

16 Moreover, the United States established a viable system of legal immigration  
17 through the Venezuela Affairs Unit, which serves as the U.S. Mission to Venezuela  
18 and is located in the U.S. Embassy in Bogota, Colombia. The Plaintiff illegal  
19 immigrants intentionally refused to legally immigrate to the United States through  
20 the U.S. Embassy in Bogota, Colombia.

21 The United States has, since 1896, maintained a viable system of legal  
22 immigration through the Eagle Pass, Texas Port of Entry. The Plaintiff illegal  
23 immigrants intentionally refused to legally immigrate to the United States through  
24 this port of entry.

25 The Immigration and Nationality Act of 1965, Pub.L. 89–236, 79 Stat. 911  
26 and the Immigration Reform and Control Act of 1986, Pub.L. 99–603,  
27 100 Stat. 3445 are legislative admissions of the fact that foreign nationals have no  
28

1 Federal right under the 1776 Declaration of Independence, the Treaty of Paris, Gr.  
 2 Brit.-U.S., September 3, 1783, 8 Stat. 80; the U.S Constitution, the Tenth  
 3 Amendment; and the Enabling Act agreed to by each State to intentionally enter this  
 4 Nation illegally to gain access to our Federal and State Court systems, and the other  
 5 systems of State and Federal Government.  
 6

7  
 8 **IV. Intervenor's Interests Not Adequately Represented by Existing Parties.**

9 The interests of the proposed Intervenor, as a class, are distinct from the  
 10 Plaintiffs and the Defendants, and therefore cannot be adequately represented by the  
 11 parties and their legal Counsel. Indeed, the Supreme Court in *Trbovich v. Mine*  
 12 *Workers*, 404 U.S. 528 (1972) held that a union member's interest was not  
 13 adequately represented by the Secretary of Labor because the Secretary had a "duty  
 14 to serve two distinct interests, which are related, but not identical." *Id.* 404 U.S. at  
 15 538. The Supreme Court further held that:  
 16  
 17

18 "Even if the Secretary is performing his duties, broadly conceived, as  
 19 well as can be expected, the union member may have a valid complaint  
 20 about the performance of "his lawyer." Such a complaint, filed by the  
 21 member who initiated the entire enforcement proceeding, should be  
 22 regarded as sufficient to warrant relief in the form of intervention under  
 23 Rule 24(a)(2)." *Id.* 404 U.S. at 539.

24 See also *Pub. Util. Dist. No. 1 of Okanogan Cnty. v. State*, 182 Wn.2d 519,  
 25 532, 342 P.3d 308 (Wash. 2015):

26 "We have also repeatedly concluded that the state's general duty to  
 27 protect the public's interest does not sufficiently protect the narrower  
 28 interests of private groups. In *CLEAN v. City of Spokane*, 133 Wash.2d

1 455, 460-62, 474, 947 P.2d 1169 (1997), we allowed real estate  
2 developers to intervene in an action to defend a city ordinance that  
3 provided public support for the construction of a new parking garage in  
4 downtown Spokane even though their interests were aligned with the  
city.”

5 In *Perry v. Proposition 8 Official Proponents*, 587 F.3d 947, 950–51 (9th Cir.  
6 2009), the Court found a “presumption” of representation could be overcome with a  
7 “compelling showing” to the contrary.”  
8

9 The “ultimate objective” in throwing off the bonds of the Empires imposing  
10 their will upon the Colonies with impunity was “to be free sovereign and  
11 independent states”; “Absolved from all Allegiance to the British Crown” and its  
12 Empire; “totally dissolved” from the “political connection between them and the  
13 State of Great Britain”; and “have full Power to levy War, conclude Peace, contract  
14 Alliances, establish Commerce, and to do all other Acts and Things which  
15 Independent States may of right do”.  
16  
17

18 The U.S. Constitution provides no judicial authority to grant any relief to the  
19 Plaintiffs beyond ordering the immediate removal of the Plaintiff illegals and their  
20 proposed class to their countries of origin.  
21

## 22 **V. Permissive Intervention.**

23

24 The proposed Intervenor also satisfy the requirements for permissive  
25 intervention, which is governed by the provisions of Fed. R. Civ. P. Rule 24(b).  
26 “[W]hen a putative intervenor seeks both intervention as of right and permissive  
27  
28

1 intervention, a finding of untimeliness with respect to the former normally applies  
2 to the latter (and, therefore, dooms the movant's quest for permissive intervention)."  
3  
4 *R G Mortg*, 584 F.3d at 10-11.

5 Proposed Intervenors assert both factual and legal questions directly related  
6 to the main action; we seek to defend our borders and sovereignty; and intervention  
7 "will significantly contribute...to the just and equitable adjudication of the legal  
8 questions presented." *Spangler v. Pasadena City Bd. of Educ.*, 552 F.2d 1326, 1329  
9 (9th Cir. 1977).  
10

## 11 VII. CONCLUSION.

12  
13 For the reasons set forth above, the proposed Intervenors respectfully request  
14 that the Court grant their motion to intervene as of right, or, in the alternative, allow  
15 the Proposed Intervenors to intervene permissively.  
16

17 Respectfully submitted this 1<sup>st</sup> day of October 2022.  
18

19   
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26  
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IN CLERKS OFFICE

2022 OCT -5 AM 11: 27

U.S. DISTRICT COURT  
DISTRICT OF MASS.

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

ALIANZA AMERICAS, and YANET ) Case No.: 22-cv-11550  
DOE, PABLO DOE, and JESUS DOE on )  
behalf of themselves and all others )  
similarly situated, )

Plaintiffs, )

vs. )

RONALD DESANTIS, Governor of )  
Florida in his official and personal )  
Capacities; JARED W. PERDUE, )  
Secretary of the Florida Department of )  
Transportation in his official and personal )  
Capacities; STATE OF FLORIDA; THE )  
FLORIDA DEPARTMENT OF )  
TRANSPORTATION; DOES #1-5, )

Defendants.)

EMANUEL MCCRAY, on behalf of )  
himself and all others similarly situated, )

Intervenors.)

**CERTIFICATE OF SERVICE**

I, Emanuel McCray, certify under penalty of perjury under the laws of the State of Washington that on October 2, 2022, I caused a true and correct copy of the **MOTION TO INTERVENE** to be served on the parties by mailing, postage prepaid, to the addresses set forth below:

Iván Espinoza-Madrigal (BBO # 708080) Lawyers for Civil Rights 61 Batterymarch Street, 5th Floor Boston, MA 02110 <i>Attorneys for Plaintiffs</i>	Office of the Attorney General PL-01 The Capitol Tallahassee, FL 32399-1050 <i>Attorneys for Defendant State of Florida</i>
Office of Governor Ron DeSantis State of Florida 400 S. Monroe St. Tallahassee, FL 32399-0001 <i>Defendant</i>	Florida Department of Transportation 605 Suwannee Street Tallahassee, FL 32399 <i>Defendant</i>
Jared W. Perdue, Secretary Florida Department of Transportation 605 Suwannee Street Tallahassee, FL 32399 <i>Defendant</i>	

Dated: October 2, 2022



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